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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/733,864	12/11/2003	Kevin Blair Frender	BEAS-01307US1	8087
23910 7590 02/04/2008 FLIESLER MEYER LLP 650 CALIFORNIA STREET 14TH FLOOR SAN FRANCISCO, CA 94108			EXAMINER PRICE, NATHAN E	
			ART UNIT 2194	PAPER NUMBER
			MAIL DATE 02/04/2008	DELIVERY MODE PAPER

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

mn

<b>Interview Summary</b>	<b>Application No.</b>	<b>Applicant(s)</b>	
	10/733,864	FRENDER ET AL.	
	<b>Examiner</b>	<b>Art Unit</b>	
	Nathan Price	2194	

All participants (applicant, applicant's representative, PTO personnel):

(1) Joseph O'Malley, Reg. No. 36,226. (3) \_\_\_\_\_

(2) Nathan Price. (4) \_\_\_\_\_

Date of Interview: 24 January 2008.

Type: a) ☒ Telephonic b) ☐ Video Conference  
c) ☐ Personal [copy given to: 1) ☐ applicant 2) ☐ applicant's representative]

Exhibit shown or demonstration conducted: d) ☐ Yes e) ☒ No.  
If Yes, brief description: \_\_\_\_\_

Claim(s) discussed: 1.

Identification of prior art discussed: \_\_\_\_\_

Agreement with respect to the claims f) ☐ was reached. g) ☒ was not reached. h) ☐ N/A.

Substance of Interview including description of the general nature of what was agreed to if an agreement was reached, or any other comments: See Continuation Sheet.

(A fuller description, if necessary, and a copy of the amendments which the examiner agreed would render the claims allowable, if available, must be attached. Also, where no copy of the amendments that would render the claims allowable is available, a summary thereof must be attached.)

THE FORMAL WRITTEN REPLY TO THE LAST OFFICE ACTION MUST INCLUDE THE SUBSTANCE OF THE INTERVIEW. (See MPEP Section 713.04). If a reply to the last Office action has already been filed, APPLICANT IS GIVEN A NON-EXTENDABLE PERIOD OF THE LONGER OF ONE MONTH OR THIRTY DAYS FROM THIS INTERVIEW DATE, OR THE MAILING DATE OF THIS INTERVIEW SUMMARY FORM, WHICHEVER IS LATER, TO FILE A STATEMENT OF THE SUBSTANCE OF THE INTERVIEW. See Summary of Record of Interview requirements on reverse side or on attached sheet.

  
WILLIAM THOMSON  
SUPERVISORY PATENT EXAMINER

Examiner Note: You must sign this form unless it is an Attachment to a signed Office action.

\_\_\_\_\_  
Examiner's signature, if required

Continuation of Substance of Interview including description of the general nature of what was agreed to if an agreement was reached, or any other comments: Proposed amendments were discussed. Proposed amendments appear to overcome 35 USC 112, 2nd paragraph, rejections regarding the open-ended interpretation of "includes" found in the original set of claims. How to overcome rejections regarding trademark/trade name was also discussed. The meaning of "single XML field" was discussed. Examiner respectfully requests that Applicant clarify the meaning of "single XML field." Providing an example, possibly with reference to Figure 4D, will be appreciated and helpful in determining how a "single XML field" limits the amount and type of content of the simplified messages as claimed. If a "single XML field" refers to a part of an XML document, then it is not clear how claim 19 further limits its parent claim by specifying "the XML field contains an XML fragment." The proposed amendments will require further search and consideration..

## Applicant Initiated Interview Request Form

Application No.: 10/733,864 First Named Applicant: Kevin Blair Frender  
Examiner: Nathan E. Price Art Unit: 2194 Status of Application: Pending

### Tentative Participants:

(1) Examiner Nathan Price (2) Attorney Joe O'Malley  
(3) \_\_\_\_\_ (4) \_\_\_\_\_

Proposed Date of Interview: January 24, 2008 Proposed Time: 10:00 EST/1:00PST (AM/PM)

### Type of Interview Requested:

(1) ☒ Telephonic (2) ☐ Personal (3) ☐ Video Conference

Exhibit To Be Shown or Demonstrated: ☐ YES ☒ NO

If yes, provide brief description: \_\_\_\_\_

## Issues To Be Discussed

Issues (Rej., Obj., etc)	Claims/ Fig. #s	Prior Art	Discussed	Agreed	Not Agreed
(1) <u>1-69</u>	_____	_____	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
(2) _____	_____	_____	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
(3) _____	_____	_____	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
(4) _____	_____	_____	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/> Continuation Sheet Attached					

### Brief Description of Arguments to be Presented:

Applicant would like to discuss the attached draft claims.

An interview was conducted on the above-identified application on \_\_\_\_\_.

**NOTE:** This form should be completed by applicant and submitted to the examiner in advance of the interview (see MPEP § 713.01).

This application will not be delayed from issue because of applicant's failure to submit a written record of this interview. Therefore, applicant is advised to file a statement of the substance of this interview (37 CFR 1.133(b)) as soon as possible.

/Joseph P. O'Malley/

Applicant/Applicant's Representative Signature

Examiner/SPE Signature

Joseph P. O'Malley

Typed/Printed Name of Applicant or Representative

36,226

Registration Number, if applicable

This collection of information is required by 37 CFR 1.133. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to take 21 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

# DRAFT

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application

Inventor(s): Kevin Blair Frender, et al.

Application No.: 10/733,864

Confirmation No.: 8087

Filed: December 11, 2003

Title: SYSTEMS AND METHODS FOR MOBILE  
COMMUNICATION

### PATENT APPLICATION

Art Unit: 2194

Examiner: Nathan E. Price

Customer No. 23910

## RESPONSE TO OFFICE ACTION UNDER 37 C.F.R. § 1.111

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Dear Sir:

### INTRODUCTORY COMMENTS

In response to the Office Action of December 11, 2007, please amend the above-identified application as follows:

**Amendment to the Claims** begin on page 2 of this paper.

**Remarks/Arguments** begin on page 10 of this paper.

## AMENDMENT

Please amend the above-identified application as follows:

### Amendments to the Claims:

This listing of claims will replace all prior versions, and listing, of claims in the application.

1. (Currently Amended) A mobile device comprising:
- a memory to store application data, the application data being associated with an application, the application data being persistent when the application is not running; and
  - a processor to execute a runtime environment program to run the application, the application containing presentation information, information for interpreting the stored application data, and information for constructing messages to a server, the runtime environment program using the information in the application to produce a display including data from the stored application data, the runtime environment program interacting with a server to update stored application data in the background when a connection between the mobile device and server is available;

wherein the runtime environment program sends simplified messages to the server;  
wherein the server converts the simplified messages to SOAP messages for the web service and  
converts SOAP messages from the web service into simplified messages for the mobile device;  
wherein each simplified message consists of a title and a single XML field.

2 – 4. (Withdrawn)

5. (Currently Amended) The mobile device of claim 1, wherein the mobile device and the ~~sever~~ server use asynchronous messaging.

6. (Original) The mobile device of claim 1, wherein messages are stored until a connection between the mobile device and server is available.

7 - 14. (Withdrawn)

15. (Original) The mobile device of claim 1, wherein the application receives data from web service.

16. (Canceled)

17. (Canceled)

18. (Canceled)

19. (Original) The mobile device of claim 18, wherein the XML field contains an XML fragment.

20 - 23. (Withdrawn)

24. (Currently Amended) A method comprising:

storing application data on a mobile device, the application data being associated with an application, the application data being persistent when the application is not running;

using a runtime environment program to execute the application on the mobile device, the application containing presentation information, information for interpreting the stored application data, and information for constructing messages to a server, the runtime environment program using the information in the application to produce a display including data from the stored application data; and

in the background, using the runtime environment program to interact with a server to update stored application data when a connection between the mobile device and server is available;

wherein the runtime environment program sends simplified messages to the server;  
wherein the server converts the simplified messages to SOAP messages for the web service and  
converts SOAP messages from the web service into simplified messages for the mobile device;  
wherein each simplified message consists of a title and a single XML field.

25 - 27. (Withdrawn)

28. (Currently Amended) The method of claim 24, wherein the mobile device and the sever server use asynchronous messaging.

29. (Original) The method of claim 24, wherein messages are stored until a connection between the mobile device and server is available.

30 - 37. (Withdrawn)

38. (Original) The method of claim 24, wherein the application receives data from web service.

39. (Canceled)

40. (Canceled).

41. (Canceled)

42. (Original) The method of claim 41, wherein the XML field contains an XML fragment.

43 - 46. (Withdrawn)

47. (Currently Amended) A computer readable media comprising a runtime environment program and an application to instruct a mobile device to do the steps of:

storing application data on a mobile device, the application data being associated with the application, the application data being persistent when the application is not running;

using the runtime environment program to execute the application on the mobile device, the application containing presentation information, information for interpreting the stored application data, and information for constructing messages to a server, the runtime environment



program using the information in the application to produce a display including data from the stored application data; and

in the background, using the runtime environment program to interact with a server to update stored application data when a connection between the mobile device and server is available;

wherein the runtime environment program sends simplified messages to the server;  
wherein the server converts the simplified messages to SOAP messages for the web service and  
converts SOAP messages from the web service into simplified messages for the mobile device;  
wherein each simplified message consists of a title and a single XML field.

48 - 50. (Withdrawn)

51. (Currently Amended) The computer readable media of claim 47, wherein the mobile device and the ~~sever~~ server use asynchronous messaging.

52. (Original) The computer readable media of claim 47, wherein messages are stored until a connection between the mobile device and server is available.

53 - 60. (Withdrawn)

61. (Original) The computer readable media of claim 47, wherein the application receives data from web service.

62. (Canceled)

63. (Canceled)

64. (Canceled)

65. (Original) The computer readable media of claim 64, wherein the XML field contains an XML fragment.

66 - 69. (Withdrawn)